

Serial No.: 09/690,284
Attorney Docket No.: F-147

Patent

REMARKS

Claims 1-10 were pending in the present application. Applicants respectfully request entry of the above amendment to Claims 1 and 10. Applicants submit that no new matter is added. Accordingly, Claims 1-11 will remain pending in the application.

In section 3 of the Office Action, the Examiner rejected Claims 1, 3, 4, 6, 9 and 11 under 35 U.S.C. 103(a) as allegedly rendered obvious by U.S. Patent No. 6,244,763 to Miller ("Miller '763") in view of U.S. Patent No. 6,010,156 to Block ("Block '156") and newly cited U.S. Patent No. 5,051,565 to Wolfram ("Wolfram '565").

Applicants respectfully traverse the rejection. Applicants submit that the references are not properly combined and that the combination does not render the invention as presently claimed obvious.

Solely in order to expedite prosecution, Applicants respectfully submit that Claim 1 has been amended to recite that the identifying mark is human discernable to allow a user to match said label pair.

Applicants respectfully submit that the cited references do not render the invention as presently claimed in Claim 1 obvious and are not properly combined. Accordingly, Applicants respectfully submit that the Examiner has not established a prima facie case of obviousness.

For example, Block '156 describes printing a facing mark on one of the labels. A facing mark is constant and not useful for distinguishing different label pairs.

The invention as presently claimed in Claim 1 recites tagging each label the label pair with a unique identifying mark that is human discernable to allow a user to match said label pair. Accordingly, Applicants respectfully submit that Claim 1 is patentable over the cited reference for at least the reasons described above.

Applicants respectfully submit that the invention as presently claimed in dependent Claims 3, 4, 6, 9 and 11 are patentable over the cited references for at

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least the reasons stated above with reference to Claim 1. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection.

In section 4 of the Office Action, the Examiner rejected Claims 2, 8 and 10 under 35 U.S.C. 103(a) as allegedly rendered obvious by Miller '763 in view of Block '156, Wolfram '565 and further in view of U.S. Patent No. 4,743,747 to Fougere, et al. ("Fougere '747").

Applicants respectfully traverse the rejection for at least the reasons stated above with regard to Miller '763, Block '156 and Wolfram '565 in responding to section 3 of the Office Action. Claims 2 and 8 depend from Claim 1 and are patentable over the cited references for at least the reasons stated above in response to section 3.

Similarly, independent Claim 10 has been amended for clarification to recite tagging each label of the label pair with an identifying mark that is human discernable to allow a user to match said label pair and is patentable over the cited references for at least the same reasons as stated above with reference to Claim 1.

Accordingly, Applicants submit that for at least the reasons stated above, the cited references do not alone or in proper combination render obvious the invention as presently claimed in Claims 2, 8 and 10. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection.

In section 5 of the Office Action, the Examiner rejected Claim 5 under 35 U.S.C. 103(a) as allegedly rendered obvious by Miller '763 in view of Block '156, Wolfram '565 and further in view of U.S. Patent No. 5,270,522 to Bone, Jr. ("Bone '522").

Applicants respectfully traverse the rejection for at least the reasons stated above with regard to Miller '763, Block '156 and Wolfram '565 in responding to section 3 of the Office Action. Claim 5 depends from Claim 1 and is patentable over the cited references for at least the reasons stated above in response to section 3.

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Furthermore, one of skill in the art would not look to Bone '522 to modify Miller '763 and Block '156 as the reference describes a system for creating dynamic barcodes and does not suggest applicability with label pairs.

Accordingly, Applicants submit that for at least the reasons stated above, the cited references do not alone or in proper combination render obvious the invention as presently claimed in Claim 5. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection.

In section 6 of the Office Action, the Examiner rejected Claim 7 under 35 U.S.C. 103(a) as allegedly rendered obvious by Miller '763 in view of Block '156 and Wolfram '565 and further in view of DE 32 33 005 to Klippert ("Klippert").

Applicants respectfully traverse the rejection for at least the reasons stated above with regard to Miller '763, Block '156 and Wolfram '565 in responding to section 3 of the Office Action. Claim 7 depends from Claim 1 and is patentable over the cited references for at least the reasons stated above in response to section 3.

Applicants respectfully maintain that one of skill in the art would not look to Klippert to modify Miller '763, Block '156 and Wolfram '565 as the reference describes a system for reading watermarks on stamps and does not suggest applicability with label pairs and is not pertinent to the invention as presently claimed.

Accordingly, Applicants submit that for at least the reasons stated above, the cited references do not alone or in proper combination render obvious the invention as presently claimed in Claim 7. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection.

CONCLUSION OF REMARKS

For at least the reasons stated above, it is respectfully submitted that the claims of this application are in condition for allowance and early and favorable action thereon is requested.

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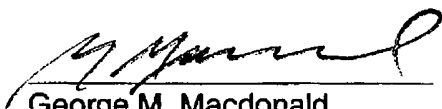
If the Examiner believes that additional issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned attorney for Applicants at (203) 924-3180.

AUTHORIZATION

No fee is believed due with this response. However, the Commissioner is hereby authorized to charge any additional fees which may be required for the response or credit any overpayment to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-147.

In the event that an extension of time or additional extension of time is required to make this response timely filed, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely. The Commissioner is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-147.

Respectfully submitted,



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APPENDIX A - Version with Markings to Show Changes Made

In the claims:

1. (Three Times Amended) A method for printing an indicia on a label in a system for printing one or more labels comprising the steps of:

reading a label configuration file wherein said label configuration file is indicative of one or more label stocks;

selecting a label stock;

reading a definition file associated with said selected label stock;

selecting an amount of labels to be printed;

printing said amount of labels in accordance with said definition file such that a label pair comprising a destination address label having a destination address and a corresponding indicia label having an indicia is printed, wherein said corresponding indicia further comprises a destination barcode; and

tagging each label of said label pair with an identifying mark that is at least locally unique to the label pair, wherein the identifying mark is human discernable to allow a user to match said label pair.

10. (Twice Amended) A method for printing an indicia on a label in a system for printing one or more labels comprising the steps of:

reading a label configuration file accessible by said system wherein said label configuration file is indicative of one or more label stocks supported by said system;

selecting a label stock from said label configuration file;

reading a definition file associated with said selected label stock;

selecting an amount of labels to be printed;

printing said amount of labels in accordance with said definition file such that a label pair comprising a destination address and a corresponding indicia is printed,

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wherein said destination address is printed first and said corresponding indicia is printed subsequently, wherein said corresponding indicia further comprises a destination barcode, said destination barcode further comprising an encryption of said destination address; and

tagging each label of said label pair with a unique identifying mark, wherein the identifying mark is human discernable to allow a user to match said label pair.

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